

MONROE COUNTY PLANNING DEPARTMENT
INITIAL SPECIAL VACATION RENTAL PERMIT APPLICATION
Application Fee: \$245.00

Application Date _____ Permit # _____

Note: The applicant must complete the following information for an application to be accepted for review. Please type or print all requested information on this form. Attach additional sheets when necessary. All information, including the application and all other materials, must be submitted on 8 1/2" X 11" paper. It is the applicant's responsibility to notify the Planning Department of any changes that may occur to the application as it is being processed.

Monroe County Code Section 9.5-4(V5): Vacation rental or unit means an attached or detached dwelling unit that is rented, leased or assigned for tenancies of less than twenty-eight days duration. Vacation rental use does not include hotels, motels, and RV spaces, which are specifically addressed in each district.

An owner or agent is required to obtain an annual special vacation rental permit for each dwelling unit prior to renting any dwelling unit as a vacation rental, as defined in Code Section 9.5-4 (V5), except as provided for under section 9.5-534(b). A special vacation rental permit is non transferable between owners. A change of ownership of the vacation rental unit shall require the new owner or his agent to obtain a new vacation rental permit for the residential dwelling unit.

1) **PROPERTY OWNER(S):**

Name(s): _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: Home _____ Work _____

2) **AGENT: (if applicable)**

Name(s): _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: Home _____ Work _____

3) **VACATION RENTAL MANAGER (Required)**

Name: _____
Address: _____
City or Key _____
DayTel#: _____
Eve Tel#: _____

Monroe County Planning Department Vacation Rental License Number _____

A vacation rental manager is **required** for each vacation rental unit. He/She shall reside within and be licensed for only one subarea of the County where the vacation rental unit is located. The
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Real Estate Number of subject property: _____

vacation rental manager shall be the designated contact person for responding to complaints made by neighbors against vacation rental tenants and responsible for maintaining the guest register, and official complaint response records for a vacation rental unit.

The vacation rental manager shall be available twenty four (24) hours a day, seven (7) days a week for the purpose of promptly responding to complaints regarding conduct and behavior of the vacation rental occupants or alleged violations of the vacation rental ordinance.

Complaints to the vacation rental manager concerning violations by occupants of vacation rental units shall be responded to within **one hour**. The neighbor who made the complaint shall be contacted by telephone or in person and informed as to the results of the actions taken by the vacation rental manager. A record shall be kept of the complaint and the manager's response for a period of at least three months after the incident, which shall be available for inspection by the Monroe County Code Enforcement Department during business hours.

The guest register shall list all of the vacation rental occupant's names, home addresses, telephone numbers, vehicle license plate and water craft numbers.

Each lease, provided by the owner, and this register shall be kept by the vacation rental manager and made available for inspection by Monroe County Code Enforcement Department personnel during business hours.

Any change in the vacation rental manager shall require written notification to the planning department and notification by certified return mail to property owners within three hundred feet of the subject dwelling.

4) **LEGAL DESCRIPTION OF PROPERTY:**

Street Address: _____
Subdivision _____ Lot(s) _____ Block _____
Key _____ Mile Marker _____ RE# _____
If in metes and bounds, attach legal description on a separate sheet.

5) **BACKGROUND INFORMATION:**

Land Use District (Zoning) _____ Future Land Use Map Designation (FLUM) _____

Allowed Zoning: UR, SR, SR-L, DR, CFSD-16, MU, MI. (If Commercial Apartment/Affordable Housing/Employee Housing, Prohibited UR, SC, MU, I)

Non-conforming Residential attached/detached allowed: UC, SC.

Vacation Rental Prohibited in the following Land Use Districts (Zoning): IS, SS, NA, MN, I, OS* (OS see MCC Sec. 9.5-241 for exception), all Commercial Fishing Districts except CFSD 16.

Exemptions see Monroe County Code Section 9.5-534(b).

- 6) Attach proof of ownership (i.e. copy of deed or tax bill) and the name, address, and telephone number of each and every person or entity with an ownership interest in the dwelling unit **AND** a copy of the property record card from the property appraiser's office.

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Real Estate Number of subject property: _____

- 7) Attach an approved Department of Health (DOH) or Department of Environmental Protection (DEP) inspection or certification of the adequacy of the sewage disposal system for use as a vacation rental unit.
- 8) Attach a floor plan of the property indicating the gross square footage of the dwelling unit, number of total rooms, bedrooms, bathrooms, kitchens, apartments, and attach a site plan indicating parking spaces, land use districts of all adjacent properties, and a Class C bufferyard (when required). And any other information required to determine compliance with vacation rental requirements.
- 9) Attach a valid and current Florida Department of Revenue sales tax identification number under Florida Statutes, Chapter 212 (Florida Tax and revenue Act) phone number 1-800-352-3671 or 305-292-6725 and a valid and current permit, license, or approval under Florida Statutes, Chapter 509 (Public Lodging Establishments) phone number 1-805-487-1395.

An initial inspection is required and must be approved prior to the issuance of a special vacation rental permit for compliance with the Uniform Fire Safety Code and NFPA Life Safety Code 101.

- 10) Attach copy of "Notice of Vacation Rental Use Application" The "Notice of Vacation Rental Application" shall also include the name, address, and day/evening telephone numbers of each and every owner(s), every vacation rental manager, agent, and caretaker of the dwelling unit as well as the Monroe County Code Enforcement Department number and a copy of the Tenants Agreement.
- 11) Attach proof that a "Notice of Vacation Rental Use Application" was sent by certified return mail to all property owners located within 300 feet of the dwelling unit which is the subject of the special vacation rental permit application not less than thirty (30) days prior to the date of approval of the application.
- 12) Attach a valid and current federal tax identification number [or social security number(s)] for the owner(s) of the vacation rental property to be licensed under the provisions of this Ordinance.
- 13) The applicant authorizes the Monroe County Code Enforcement Department to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of such permit, concerning compliance with the Monroe County Code Chapter 9.5 (i.e. the Land Development Regulations).
- 14) Signature of the applicant (owner/agent) grants authorization to Monroe County Code Enforcement to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and during any business hours after issuance of permit concerning compliance with Monroe County Code Chapter 9.5 (i.e. the Land Development Regulations). Signature also certifies that owner/agent has read and examined this application and knows that same is true and correct.

All the following signatures are required pursuant to Monroe County Code Section 9.534(f)(8):

This Section to be completed by: Authorized Agent signature required:

Print Authorize Agent name:

Signature of Authorized Agent:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____(year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____

This Section to be completed by: Vacation Rental Manager signature required:

Print Vacation Rental Manger name:

Signature of Vacation Rental Manager:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____(year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____

This Section to be completed by: All Property Owner(s) signature(s) required:

Print Property Owner name:

Signature of Property Owner:

Date

Print Property Owner name:

Signature of Property Owner:

Date

Print Property Owner name:

Signature of Property Owner:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____(year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____

To be completed by the Planning Department

1. Check Receipt Number_____ Date_____
 2. Approved Inspection by Code Enforcement shall be attached prior to issuance of permit.
 3. The following permit conditions shall apply_____
-

APPROVED FOR ISSUANCE OF PERMIT

Director of Planning/Development Review Senior Administrator

Date

MONROE COUNTY PLANNING DEPARTMENT
“NOTICE OF VACATION RENTAL USE APPLICATION”

The following information shall include the name, address, and day and evening telephone numbers of each and every manager, agent and owner of the dwelling unit.

This information is regarding a vacation rental on the following property:

Legal Description of Property:

Street Address of Property_____

Subdivision_____Lot(s)_____Block_____

Key_____Mile Marker_____RE#_____

If in metes and bounds, attach legal description on separate sheet.

Property Owner(s) (Required)

Name(s):_____

Address:_____

City or Key_____

DayTel#:_____

Eve Tel#:_____

Vacation Rental Manager (Required)

Name:_____

Address:_____

City_____State_____Zip:_____

Day Tel#:_____

Eve Tel#:_____

Agent (Optional)

Name:_____

Address:_____

City_____State_____Zip:_____

Day Tel#:_____

Eve Tel#:_____

Monroe County Code Enforcement phone numbers: Lower Keys: 305 295-4493

Middle Keys 305-289-2556 Upper Keys 305-852-7135

Pursuant to Monroe County Code Section 9.5-521 you have the right to appeal a decision to approve or deny this special vacation rental permit to the Planning Commission within 30 days of issuance or denial of the permit. You may have other rights that Monroe County cannot enforce. Review of a special vacation rental permit application by Monroe County will not consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record, which may prohibit the use of the dwelling unit for vacation rental purposes. You may wish to consult an attorney concerning these private rights.

SPECIAL VACATION RENTAL PERMIT REGULATIONS AND CONDITIONS

TENANT'S AGREEMENT

For: Real Estate Number : _____

- 1) No more than one motorized watercraft, including a jet ski or wave runner, shall be allowed at each vacation rental unit. The watercraft may be moored at either an existing on-site docking facility or stored on a trailer in an approved parking space.
- 2) Vehicles, watercraft and trailers must not be placed on the street or in yards. All vehicles, watercraft and boat trailers must be parked or stored off-street in parking spaces specifically designated and approved in the special vacation rental permit, and may not exceed a maximum of one vehicle per bedroom or efficiency unit and one boat trailer per vacation rental unit.
- 3) No boat docked at a vacation rental property shall be chartered to a person other than registered guests of the vacation rental unit or used for live-aboards, sleeping or overnight accommodations. In addition, recreation vehicles shall not be used for sleeping or overnight accommodations at the vacation rental unit.
- 4) Noise which is audible beyond the real property boundaries of the vacation rental property is prohibited.
- 5) All trash and debris on the vacation rental property must be kept in covered trash containers. Each vacation rental unit must be equipped with at least four (4) covered trash containers for such purpose. Owners must post, and occupants must comply with, all trash and recycling schedules and requirements applicable to the vacation rental unit. Trash containers must not be placed by the street for pick-up until 6:00 p.m. the night before pick-up and must be removed from the area by the street by 6:00 p.m. the next day.
- 6) The owner or agent shall require a lease to be executed with each vacation rental use of the property and maintain a guest and vehicle register listing all vacation rental occupants' names, home addresses, phone numbers, vehicle license plate and watercraft registration numbers. Each lease and this register shall be kept by the vacation rental manager and available for inspection by Monroe County code enforcement personnel during business hours.
- 7) Vacation rental units must be registered, licensed and meet all applicable state requirements contained in Florida Statutes Chapter 212 (Florida Tax & Revenue Act) phone number 1-800-352-3671 or 305-292-6725 and 509 (Public Lodging Establishments) phone number 1-805-487-1395 as implemented by the Florida Administrative Code, as may be amended.
- 8) The vacation rental use must comply with all State of Florida Department of Health and State of Florida Department of Environmental Protection standards for wastewater treatment and disposal.
- 9) All vacation rental units shall have a vacation rental manager or managers, who has been issued a vacation rental manager license by the planning department as provided for in section 9.5-534(h). The vacation rental manager shall reside within and be licensed for that section of the county (upper, middle, and lower keys) where the vacation rental unit is located and be available twenty-four (24) hours per day, seven (7) days a week for the purpose of promptly responding to complaints regarding conduct or behavior of vacation rental occupants or alleged violations of this section. Any change in the vacation rental manager shall require written notification to the planning department and notification by

certified return mail to property owners within three hundred (300) feet of the subject dwelling.

- 10) Complaints to the vacation rental manager concerning violations by occupants of vacation rental units to this section shall be responded to within one (1) hour. The neighbor who made the complaint shall be contacted by telephone or in person and informed as to the results of the actions taken by the manager. A record shall be kept of the complaint and the manager's response for a period of at least three (3) months after the incident, which shall be available for inspection by the Monroe County code enforcement department during business hours.
- 11) The applicant must grant authorization to Monroe County Code Enforcement to inspect the premises of the vacation rental unit prior to the issuance of the special vacation rental permit and at any other time after issuance of such permit, concerning compliance with the Monroe County Code Chapter 9.5 (i.e. the Land Development Regulations).
- 12) No special vacation rental permit may be transferred from one owner or manager to another, or one residential dwelling unit to another. In the event ownership or management of a licensed residential unit is changed, the previous vacation rental license holder must notify the County of such change, and the new owner or manager must obtain a new vacation rental license for the residential dwelling unit.
- 13) The name, address, and telephone number of the vacation rental manager(s), the telephone number of county code enforcement department and the number of the special vacation rental permit shall be posted and visible from the front property line of the vacation rental unit.
- 14) The applicant must submit an approved inspection report from the Fire Marshal verifying compliance with NFPA Life Safety Code 101, as may be amended, and which is hereby incorporated by reference.
- 15) Occupancy of vacation rental unit(s) shall be limited to no more than two (2) individuals per bedroom, or no more than two (2) individuals per efficiency unit, when rented as a vacation rental unit subject to the provisions of Monroe County Ordinance No. 004-1997.
- 16) Tenant(s) 's agreement to the forgoing rules and regulations must made a be part of each and every lease under Florida Statutes §509.01 for any vacation rental unit subject to the provisions of the Monroe County Code. These vacation rental regulations must be prominently posted in a conspicuous location within each vacation rental unit subject to the provisions of the Monroe County Code along with the violations warning.
- 17) Review of this permit did not consider the existence of valid private deed restrictions, restrictive covenants or other restrictions of record which may prohibit the use of the dwelling unit for vacation rental purposes.

VIOLATION WARNING

Violations of any of the vacation rental regulations constitutes a violation of Monroe County Code punishable as a second degree misdemeanor and is also grounds for immediate termination of the lease and eviction from the leased premises and criminal penalties under Florida Statutes §509.151 ("Defrauding an Innkeeper"), §509.141 ("Ejection of Undesirable Guests"), §509.142 ("Conduct on Premises) or §509.143 (Disorderly Conduct on Premises, Arrest").

All the following signatures are required pursuant to Monroe County Code Section 9.534(f)(8):

This Section to be completed by: Authorized Agent signature required:

Print Authorize Agent name:

Signature of Authorized Agent:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____ (year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____

This Section to be completed by: Vacation Rental Manager signature required:

Print Vacation Rental Manger name:

Signature of Vacation Rental Manager:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____ (year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____

This Section to be completed by: All Property Owner(s) signature(s) required:

Print Property Owner name:

Signature of Property Owner:

Date

Print Property Owner name:

Signature of Property Owner:

Date

Print Property Owner name:

Signature of Property Owner:

Date

STATE OF _____

COUNTY OF _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____,
_____ (year), by _____ who is personally known or who has
produced _____ as identification.

Notary Signature _____